effect from the 1st April 1940, the rate of licence fee levied by the Indian Tea Licensing Committee for an export licence, special export licence or permit issued by it shall be annas six per thousand pounds of tea or part thereof covered by such licence or permit.

N. R. Pillai,
Joint-Secretary to the Government of India.

*No. E.* 20—*Uni.* 98-39-7, (*Camp Mysore*), *dated* 12*th June* 1940.

Under Section 14(2)(*e*) of the Mysore University Act, His Highness the Chancellor is pleased to nominate Mr. J. C. Rollo as a member of the University Council.

By Order,
J. APPAJI GOWDA,
*Secretary to Government,*
*General Department.*

## DEVELOPMENT SECRETARIAT

*No. Fl.* 7503—*Ex.* 12-39-47, *dated* 14*th June* 1940.

In exercise of the powers conferred on them by Section 7 of the Mysore Matches (Excise Duty) Act, 1934, the Government of His Highness the Maharaja of Mysore are pleased to prohibit absolutely the bringing of matches into the Mysore State from the territory of the Dir State in the North West Frontier Province.

By Order,
C. E. NORONHA,
*Secretary to Government,*
*Development Department.*

## LAW SECRETARIAT

*No. P.* 7744—*Cts.* 226-39, *dated* (*Camp Mysore*), 13*th June* 1940.

Under the provisions of Sections 14, 15 and 39 of the Code of Criminal Procedure, 1904, Government are pleased to appoint the Sub-Registrar of Hoskote Taluk, in virtue of his Office as such, to be a Magistrate of the Third Class and to direct that he shall exercise his powers as such Magistrate, only as a member of the Bench of Magistrates, established for Hoskote Taluk for the trial of such cases or classes of cases as are made triable by the said Bench by rules framed under Section 16 of the said Code.

*No. P.* 7763—*Cts.*, *dated* (*Camp Mysore*), 13*th June* 1940.

Under Section 14 of the Code of Criminal Procedure, 1904, Government are pleased to appoint Mr. R. Arvamudu Iyengar, as a Special Magistrate for the Bench Court at Bangalore City, with the powers of a Magistrate of the Second Class for a period of two years.

*No. T.* 3830—*R. T.* 64-39-4, *dated* 14*th June* 1940.

Government are pleased to direct that the circular instructions issued to the authorities concerned and appended to this order explaining the term "Motor Vehicles kept for use" for purposes of taxation under Section 8 of the Mysore Road Traffic and Taxes Act, VI of 1935, be published in the *Mysore Gazette* for the information of the public.

**Appendix.**

*Circular.*

It has been brought to the notice of Government that Section 8 of the Mysore Road Traffic and Taxes Act, 1935, is being interpreted in such a way as to bring within its scope motor vehicles which are not strictly liable to be taxed and many cases of hardship have arisen. In a case where the registration certificate pertaining to a vehicle which has become unfit for use is not surrendered, the practice has been to grant a refund of a portion of the tax for non-user. If the vehicle has become permanently unfit for use, there is no possibility to use it and it cannot be said to be kept for use. There are cases where vehicles have to be

kept out of use by the owners owing to the unsuitability of the roads as during the mousoon season in the malnad or owing to the refusal or cancellation of the permit and such other reasons. In such cases there is no relief at present.

Government consider that the term "kept for use" in Section 8 of the Mysore Road Traffic and Taxes Act, 1935, should be liberally interpreted. The criterion for taxation is not the mere keeping or possession or even the potentiality or possibility of use but the intention to use the vehicle, that is to say, the keeping should be coupled with the intention to use. Where the owner or the person in control of a motor vehicle has no intention of using a vehicle on the public roads during a whole quarter or half year, as the case may be, he should give notice, in writing, of such intention to the Inspector-General of Police or the District Magistrate, as the case may be, surrendering at the same time the registration certificate and the permit where one has been granted. On receipt of such notice no tax under the Road Traffic and Taxes Act need be levied in respect of such a vehicle.

Where a motor vehicle is kept out of use from any date after the commencement of a quarter or half-year for which license has been taken, refunds will be granted according to the prescribed rules from the date of the surrender of the registration certificate and the permit, if one has been granted. Where a vehicle is proposed to be put on the road after it has been withdrawn from use, the registration certificate and the permit shall, on application and on payment of the tax due, be restored to the owner or person in possession or control of the vehicle.

The Police should, however, see by regular and casual inspections that no motor vehicle uses the public roads without a current licence. If a vehicle is detected to be using the public road without a current licence, prompt action should be taken for the recovery of the taxes due, and prosecution launched for getting the offender punished.

By Order,
H. V. NARAYANA RAO,
*Secretary to Government,*
*Law Department.*

## CHIEF SECRETARIAT

*No. P.* 7740—*P. P.* 77-39-2, *dated* 12*th June* 1940.

Under Section 4 of the Land Acquisition Act, 1894, as amended from time to time, it is hereby notified that the properties described hereunder, are required for a public purpose, *viz.*, Palace Hodike katte.

Under Section 5-A, it is directed that any person interested in the said properties may, within thirty days after the issue of this notification, prefer objections, if any thereto, to the Deputy Commissioner, Mysore District, in writing, after which no objections will be heard.

A plan of the properties will be available for inspection in the Office of the Sub-Division Officer, Mysore Sub-Division.

| District | Taluk | Hobli | Village | Name of khatedar or owner | Anubhavadar (if any) or other persons interested in the property | Mi. No. | Whether dry, wet or garden, etc. | Total extent | Kharab | Extent now required: Extent | Extent now required: Assessment | Boundaries: East | West | North | South |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | A. g. | A. g waste | A. g. | Rs. a. p. | | | | |
| Mysore | Hunsur | Bilikere | Sarvamanya Thippur | Mr. S. A. Hamed | Mr. S. A. Hamed | 18 | Dry | 162 33 | 162 33 | 3 1 | ... | Portion of Survey No. 18 | Dyatyane kere | Portion of Survey No. 19, 20 and 21 | Dyatyana kere |
| | | | | | | 19 | | 8 30 | ... | 1 10 | 0 11 3 | | | | |
| | | | | | | 20 | | 7 20 | ... | 1 24 | 0 14 5 | | | | |
| | | | | | | 21 | | 7 35 | ... | 2 20 | 1 6 6 | | | | |

By Order,
B. T. KESAVIENGAR,
*Chief Secretary to Government.*